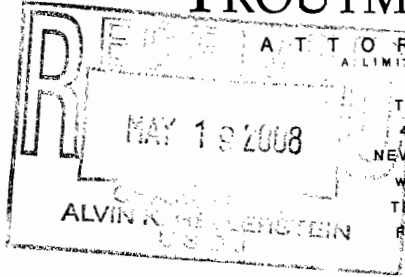
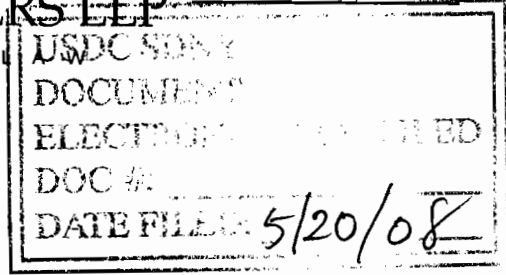


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May 16, 2008

## By Federal Express

The Honorable Alvin K. Hellerstein  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1050  
New York, New York 10007

*Rejected for filing  
to comply with demand R. 26.  
5-19-08  
Alvin K. Hellerstein*

Re: Cerami v. Novartis Vaccines and Diagnostics, Inc., 1:07-cv-05634-AKH-DFE

Dear Judge Hellerstein:

On behalf of the plaintiff Dr. Anthony Cerami, we hand delivered to the Court today a letter application regarding a discovery dispute for which we request Your Honor's direction.

A portion of Exhibit A to the letter was inadvertently not included in the materials that were sent to you (although they were included in the copies that were sent to opposing counsel and counsel for non-party Abbott).

We herewith enclose a letter with all exhibits that we ask you to substitute for that which was hand-delivered to Chambers today.

Respectfully submitted,

*Barry J. Brett*  
Barry J. Brett

Enclosures

Cc: Craig Whitney, Esq. - Morrison & Foerster

Kevin Warner, Esq.  
Michael Friedman  
Winston & Strawn

(Via Federal Express)

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